

## YEAR OF ANTI-TRUST CASES

### ANNUAL REPORT OF ATTORNEY-GENERAL WICKERSHAM.

Received over \$3,000,000 From Sugar Trust—Many Prosecutions Pending—3,464 Civil Cases Decided During the Year—9,451 Convictions Secured.

WASHINGTON, Dec. 12.—It was the people of the United States just a little more than \$3,000,000 to maintain the Department of Justice in the fiscal year just ended, according to Attorney-General Wickersham's annual report, made public today. Congress appropriated \$10,500,000 for the Department, but Mr. Wickersham managed to get along with a million less than his allowance and still had a few thousands left over. He says that the Department has been successful in its efforts to enforce the anti-trust law. He refers briefly to the case against the Standard Oil Company and the tobacco trust, which will be reargued before the Supreme Court, but makes no prediction as to the outcome. He also refers to the case against the Southern and Union Pacific railways to enjoin the continued control of the former by the latter as now before the court of the Eighth Circuit. The prosecution of the Reading Railroad and other companies alleged to be in illegal combination to control the bituminous coal trade has not come to a decision, although it was argued and submitted to the court of the Third Circuit. The taking of testimony against the powder trust has been completed and the case, Mr. Wickersham says, shortly will be submitted to the court of the Third Circuit.

"It has been the policy of the Department," says Mr. Wickersham, "carefully to investigate all complaints made to it concerning contracts, combinations, or conspiracies in restraint of trade or commerce in violation of the Sherman act. Many of these complaints upon investigation prove to be groundless or develop sources of complaint wholly outside of the scope of the Federal law. The decisions of the Supreme Court, however, upon recent controversies involving the form of trust or otherwise or conspiracy having for its purpose or directly and necessarily affecting the control of prices, suppression of competition, creation of a monopoly or other obstruction or restraint of trade or commerce among the States is made illegal by the Sherman act, and that every person who shall make such contract or engage in such combination or conspiracy is guilty of a misdemeanor and liable to fine and imprisonment."

Where the Department has found ground for believing that such a combination exists it has not hesitated to proceed. "In such instances," says the report, "the Department endeavors when the evidence warrants to secure the indictment of the individuals responsible for the acts complained of. In the administration of this law, however, the Department has refrained from instituting criminal proceedings where the evidence merely tends to show that men without intent to violate the law have acted in restraint of competition of it, and in such cases has resorted to civil remedies to restrain a continuance of the acts complained of."

Mr. Wickersham gives a partial enumeration of the more important anti-trust suits instituted during the year. It includes: Indictment against the Paper Bag Association of New York. The defendants pleaded guilty and were fined \$57,000. Indictments of several individuals in Kentucky known as "night riders" for alleged interference with interstate commerce of tobacco. Eight defendants were convicted and sentenced to pay fines aggregating \$9,300. Indictments against James A. Patten, the "sheep king," and others for alleged participation in the corner of raw cotton. "The result of this prosecution," the report says, "will be very important consequences in determining how far the Sherman act is adequate to break up pools and corners to control the price of articles dealt in on commercial exchanges and to punish those who take part in them."

Suit in equity against the Great Lakes Towing Company. Not decided. Indictment of the concerns alleged to constitute the beef trust; also the indictment of ten of the "beef barons" as individuals. Not decided.

Petition against the Chicago Butter and Egg Board. Indictments against the companies and individuals concerned. Not decided.

Indictments against the concerns and individuals composing the "brick trust" in Illinois. Not decided.

Civil suit against the "bathtub trust" said to embrace sixteen of the twenty manufacturers of tubs and enameled ironware in the United States. Since the report was written the Department has secured indictments against individual defendants and its officers. Defendants pleaded not guilty and were fined sums aggregating \$10,000.

There were twenty criminal prosecutions under the Hepburn and Elkins acts.

The report shows that 3,464 civil cases were decided by the Circuit and District Courts of the United States during the fiscal year, as compared with 3,071 last year. The United States secured 1,866 judgments; 23 of which were in its favor against the United States; and the other cases were either dismissed or discontinued. Judgments obtained amounted to \$82,579.89, of which \$54,290.95 was realized during the year.

Of criminal prosecutions in these courts there were 15,371, as against 13,959 for the previous year. There were 9,451 convictions; 1,465 acquittals; and the balance of the cases were discontinued or quashed. There were 9,222 criminal prosecutions pending at the end of the fiscal year, as compared with 9,451 at the end of the previous fiscal year. The total amount of fines, forfeitures and penalties imposed during the year by these courts was \$1,063,971.67. There was realized of this amount \$473,356.50. There were 8,445 suits terminated in the Federal courts during the year to which the United States was not a party, as compared with 8,411 for the previous year.

The bankruptcy statistics show that 14,000 voluntary petitions were filed during the year, as compared with 13,845 in the previous year. Adjudications were pronounced in 13,445 cases. Of the 11,550 voluntary cases on the bankruptcy docket during the year, 12,778 cases were closed and 1,439 cases were under consideration. The liabilities in these cases aggregated \$28,114,080.47. In 4,059 the liabilities were under \$1,000; in 6,491 they were under \$10,000; in 829 they were under \$20,000 and in 962 they were over that amount. Total assets realized in the 12,061 cases amounted to \$11,850,203.90. No assets were scheduled in 4,391 cases; in 2,618 cases the total assets realized amounted to \$28,055,727.86 and the dividends to general creditors aggregated \$15,256,113.25.

Mr. Wickersham's recommendations are: That the Department be authorized to employ a chief of commerce and labor, to enable the Southern States to be more fully

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BOSTON, Dec. 12.—The trial of Hattie Le Blanc for the murder of Clarence F. Glover at Waltham on November 20, 1909, is practically at an end. This afternoon the hearing of testimony came to a close and Melvin M. Johnson, senior counsel for the girl, made his argument.

The trial was complete with sensations during the two sessions today. Two more witnesses swore that they saw Mrs. Glover, widow of the murdered man, coming from the laundry or near it where the shooting occurred at the time she said she was in her own home.

One of the witnesses was Miss Nellie Walsh, a cook, employed by Judge Bond, who is presiding at the trial. Miss Walsh testified that on the night of November 20, 1909, she met Mrs. Glover on Moody street, Waltham, some time after 8:30 o'clock. She was positive she saw Mrs. Glover in front of Morgan's store and described her as dressed in a dark hat, a dark coat and carrying a muff.

Mr. Higgins in cross-examination made her say that she had seen Mrs. Glover before the murder for four years and that then she had seen her with her outer garments and hat off in the laundry, where Miss Walsh then was employed.

Miss Walsh said she did not speak to Mrs. Glover that night and that she had never spoken to her in her life.

James E. Dumas of Athol testified that at the time of the murder he was working in Waltham and on the night it occurred he was in a store directly across from the end of the alleyway adjoining the laundry.

"Did you see some one come out of the alleyway?" Mr. Johnson asked.

"I did."

"Who was it?"

"It was Mrs. Glover," said Dumas. It was between 8:35 and 8:40 on the night of the murder that he saw Mrs. Glover. She was walking at a very rapid pace, he said, and if he had not stepped out of her way she would have bumped into him. As she went past him she walked in the direction of an electric car. On November 20, 1909, he saw Mrs. Glover at the Court House in Boston, and on that occasion he picked her out from among a number of women.

District Attorney Higgins and lawyer Johnson were in a sensational conflict this morning. In the course of a passionate speech Mr. Johnson said that the District Attorney had stated what was "absolutely false." The counsel for the girl accused Mr. Higgins of "defiling his office" by betraying the confidence of a brother attorney. In the language of Mr. Johnson the act of the District Attorney had no equal in the history of jurisprudence.

The encounter was precipitated by the District Attorney. After the jury had been sent from the court room he asked permission of the court to introduce a statement made by a detective named Von Rahr. This detective, Mr. Higgins said, interviewed Hattie Le Blanc at the East Cambridge jail in the presence of her counsel, and he was prepared to testify that Hattie had said that she shot Clarence Glover and that Mrs. Glover, the widow of the murdered man, induced her to do it and concealed her in the Glover home from Saturday night until Tuesday night, when the girl was found by the police.

Mr. Higgins made the statement that Mr. Johnson, the attorney for the girl, had admitted in his office last June that Hattie had told him that she shot Glover. He further, the District Attorney said, Mr. Johnson acknowledged that she had told conflicting stories.

To offer the statement of the girl's counsel, Mr. Higgins agreed to introduce a professional source and an independent source and he named Mr. Von Rahr as his authority. He asked the jury to believe that he had told Hattie to testify that she had admitted to her counsel that she was guilty.

Mr. Johnson was furious when he arose to reply to the District Attorney's charge that he had no right to make that statement in open court.

"I did not believe," the lawyer for the defense went on, "that any man would so defile himself as the District Attorney has by this act."

"In all my practice at the bar," said Mr. Johnson, "this is the first time any man has ever violated the privilege which the law throws about a counsel and client."

When both men had discussed the issue Judge Bond read the statement of Detective Von Rahr and ruled that it should be excluded.

Later, during the examination of Mrs. Glover, Judge Bond and District Attorney Higgins had a lively tiff.

Mrs. Glover was being asked regarding Michael Vahey, who testified that Seymour Glover made out of the funeral and that Mrs. Glover and Mr. Elmore stared hard at him when he came out.

Mrs. Glover volunteered the information that Vahey was a man who drank a great deal and that he was "very drunk" and did not know what he was doing" on the day of the funeral.

In the tiff that followed between the court and the District Attorney Judge Bond accused Mr. Higgins of laughing when Mrs. Glover got away from the question.

Mr. Higgins strenuously denied that he had laughed. Mr. Higgins, his voice shaking with emotion and anger, arranged Judge Bond. He asserted that he was trying honestly and fairly to prevent the Commonwealth's case and told the court with constantly rising voice that he believed it was not fair for the judge on the bench, "who should protect the witnesses and the District Attorney and the defendant, to make any such remark." He characterized it as "highly improper and injudicious."

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Weld—Marshall.

Miss Serena Gilman Marshall, daughter of Henry Russell Marshall of 121 East Eighteenth street, was married yesterday afternoon to Christopher Minot Weld at Grace Church. Only the intimate friends of the families were invited. The Rev. Dr. W. B. E. A. and Rev. Dr. C. H. M. officiated. The bride was given away by her father, and was attended by Miss Mildred Du Bois as maid of honor and by Miss Anita Dominick and Miss Grace Van Winkle as bridesmaids. The bridegroom's best man was his brother, Francis M. Weld. After the wedding there was a reception at the house of the bride's sister, Mrs. W. B. E. A. and Rev. Dr. C. H. M. The wedding was a member of the Harvard and the University clubs and a consulting training engineer.

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A SPECIAL OFFERING FOR THIS DAY (TUESDAY), WILL CONSIST OF TWILLED SILK UMBRELLAS, AT UNUSUALLY LOW PRICES, AS FOLLOWS:

MEN'S AND WOMEN'S TWILLED SILK UMBRELLAS, NOVELTY HANDLES, 26 & 28 INCH SIZES AT \$3.00

WOMEN'S TWILLED SILK UMBRELLAS WITH 12 INCH SILVER HANDLES, 26 INCH SIZE AT \$4.50

A SALE OF MEN'S AND WOMEN'S LINEN HANDKERCHIEFS, AT THE FOLLOWING ATTRACTIVE PRICES, IS ALSO ANNOUNCED FOR THIS DAY (TUESDAY):

MEN'S LINEN HANDKERCHIEFS, INITIALED AT \$2.25 PER DOZEN

PLAIN HEMSTITCHED AT \$2.50, 4.50 & 5.50 PER DOZEN

WOMEN'S LINEN HANDKERCHIEFS, INITIALED AT \$1.50 & 1.90 PER DOZEN

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ALSO WOMEN'S EMBROIDERED HEMSTITCHED HANDKERCHIEFS, AT 25c. EACH

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WILL HOLD A SPECIAL SALE THIS DAY (TUESDAY), OF WOMEN'S IMPORTED LINGERIE WAISTS, HAND-MADE MODELS, EMBROIDERED AND LACE-TRIMMED, AT THE UNUSUALLY LOW PRICES OF

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A LARGE VARIETY OF SHAWLS AND SCARFS, SUITABLE FOR HOLIDAY GIFTS, WILL BE ON SALE TUESDAY, AMONG THEM THE FOLLOWING:

SHEPHERD WOOL MOTOR SCARFS 75c. & \$1.00

SHEPHERD WOOL SHAWLS 60c., \$1.00, 1.35 & 2.25

A SALE OF WOMEN'S NECKWEAR WILL ALSO TAKE PLACE THIS DAY, INCLUDING THE FOLLOWING STYLES AT EXCEPTIONALLY LOW PRICES:

BLACK VELVET BOWS AT 35c.

JABOTS OF NET WITH LACE AT 60c., 75c. & \$1.00

STOCKS WITH JABOTS ATTACHED OF NET WITH LACE, AT 75c. & \$1.00

JABOTS OF IRISH LACE WITH BATISTE AT 25c.

HOUSE GOWNS AND PETTICOATS AT SPECIAL PRICES WILL BE OFFERED THIS DAY (TUESDAY):

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ROBES OF EIDERDOWN OR BLANKET FLANNEL AT \$3.75

JAPANESE SILK QUILTED GOWNS AT 7.50

IMPORTED FLANNEL GOWNS AT 8.50

IMPORTED ALBATROSS GOWNS AT 10.00

GOWNS OF CREPE DE CHINE AT 20.00

PETTICOATS

BLACK AND WHITE PLAID MOHAIR PETTICOATS AT \$2.50

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WOOL JERSEY TOP PETTICOATS, MESSALINE FLOUNCE 5.50

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HAVE IN THEIR DEPARTMENT FOR FURS AND FUR GARMENTS

SILVER FOX, RUSSIAN AND HUDSON BAY SABLES IN SETS OF MUFFS AND NECKPIECES. MATCHED SABLE AND SILVER FOX SKINS FOR THE MAKING OF GARMENTS AND OTHER FUR PIECES TO ORDER.

FUR GARMENTS IN FASHIONABLE STYLES OF FINE FURS SUCH AS RUSSIAN AND HUDSON BAY SABLES, CHINCHILLA, ERMINE, EASTERN MINK, BROADTAIL AND SEALSKIN.

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